



Wisconsin State Senate

John Lehman

Senator – 21st District

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**Testimony of Senator John Lehman
Senate Committee on Health, Human Services, Insurance, and Job Creation
February 20, 2008
Assembly Bill 173**

Thank you, Senator Erpenbach and committee members for taking testimony today on Assembly Bill 173.

As you know, the bill proposes increasing the number of members of the Council on Mental Health from the current fifteen members to not less than twenty-one and not more than twenty-five members.

The council serves important roles as a policy resource, program advisor and advocate for mental health in Wisconsin. It is also an entity that the state is required to maintain in order to receive and disburse federal funding.

As the bill author Representative Grigsby, Council chair Bachuber and others have noted, this law change will help the council better serve the letter and spirit of the federal law.

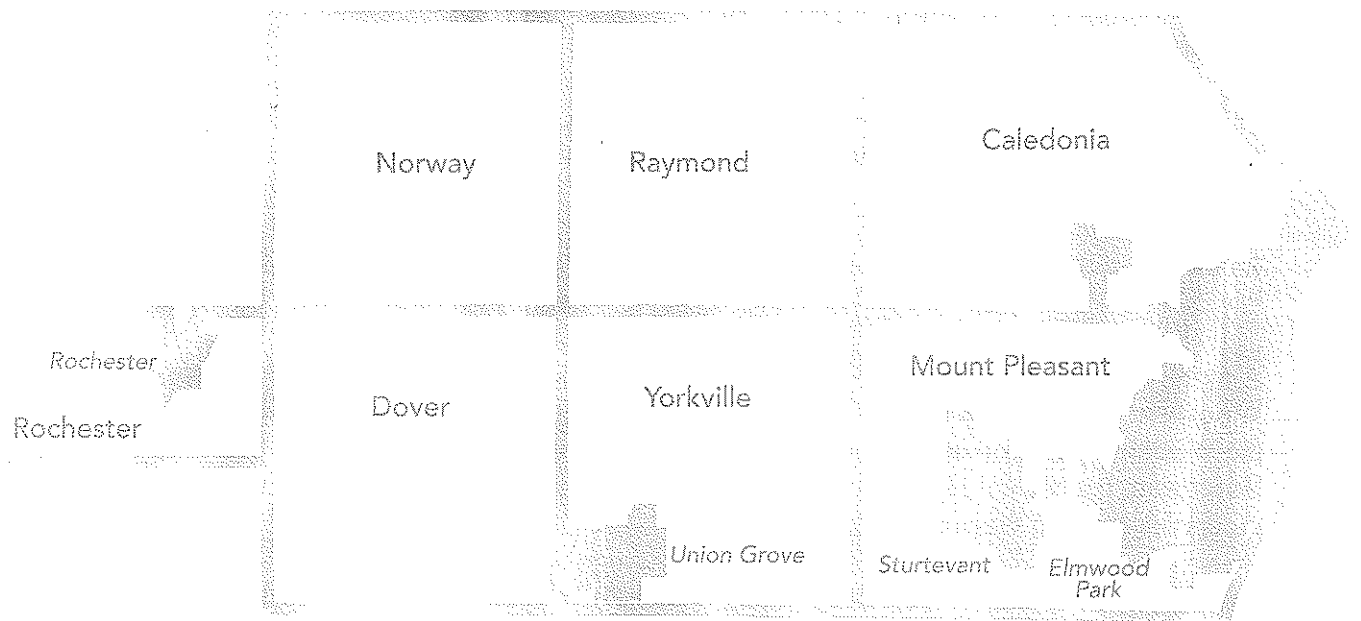
A more vigorous, representative and effective council will also be a benefit to the people of Wisconsin. That is why the bill enjoys broad support among the advocacy community including the Wisconsin Council on Mental Health, the Division of Disability and Elder Services, NAMI Wisconsin, the Mental Health Association of Wisconsin, Grassroots Empowerment, Access to Independence and Wisconsin Family Ties.

It is also worth noting in these challenging financial times that Assembly Bill 173 has no fiscal impact.

As we observe Mental Health Parity Day in the Capitol today and reflect on how we can as a legislature and state help the many, many people, we represent who have been or will be touched in some way by a mental health situation I hope you will look favorably on this step we can take toward creating a healthier Wisconsin.

Thank you for your time, I'm happy to respond to any questions you may have.

21ST SENATE DISTRICT





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Hon. Jon Erpenbach, Chairperson

Senate Committee on Health, Human Services, Insurance and Job Creation

State Capitol, Room 8 South

P.O. Box 7882

Madison, WI 53707-7882

Re: 2007 Assembly Bill 173

Dear Senator Erpenbach:

I am writing to support passage of Assembly Bill 173 to expand the size of the Council on Mental Health. However, I urge the committee to consider amending the bill to ensure that the interests of mental health consumers are the predominant voice in this council.

This proposal allows the Council to comply with federal rules for mental health planning councils. The bill:

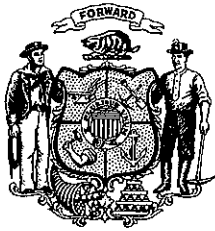
1. expands the size of the Council from its current fifteen and
2. replaces state law language regarding composition with a reference to federal law.

The bill allows the Governor to appoint no fewer than 21 nor more than 25 members. This will allow the Council to meet federal rules for composition of mental health planning and advisory councils mandated under the mental health block grant law. It will also allow the Council to better reflect the diversity of the State's population.

Federal law requires that mental health planning councils include representatives of several constituencies. "Adults with serious mental illnesses," is included as only one item on the list. Eliminating the language in the Wisconsin Statutes regarding consumers serves to underline that there is no provision respecting the voice of consumers within the constituency of the Council.

Independent Living Centers understand that systems serving people with any kind of disability – physical or mental – must be designed around the needs of consumers. We believe an essential aspect of such a design is to look primarily to consumers to express their needs within the give-and-take of policy development.

This philosophy is consistent with promotion of "recovery" for mental health consumers. Wisconsin pioneered the philosophy of "recovery" a decade ago in the report of "The Blue Ribbon Commission on Mental Health." Recovery is the concept that mental health consumers can take control of their lives despite a mental illness diagnosis. It is hope for a full life despite disability.



Wisconsin Council on Mental Health

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February 20, 2008

Hon. Jon Erpenbach, Chairperson
Senate Committee on Health, Human Services, Insurance and Job Creation
State Capitol, Room 8 South
P.O. Box 7882
Madison, WI 53707-7882

Honorable Members
Senate Committee on Health, Human Services, Insurance and Job Creation

Re: 2007 Assembly Bill 173

Dear Senator Erpenbach and Honorable Members:

I am writing as Chairperson of the Wisconsin Council on Mental Health in support of Assembly Bill 173. In fact, this bill was introduced by request of the Council. I would particularly like to thank Sen. Erpenbach, Rep. Grigsby and the other sponsors of this legislation.

This proposal allows the Council to comply with federal rules for mental health planning councils. It 1) expands the size of the Council from its current fifteen and 2) replaces state law language with respect to composition with a reference to federal law. It allows the Governor to appoint no fewer than 21 nor more than 25 members.

Federal law requires that mental health planning councils have:

- 1) representatives of principal state agencies with respect to mental health, education, vocational rehabilitation, criminal justice, housing and social services;
- 2) representatives of public and private mental health service entities; and
- 3) others, including
 - a. adults with serious mental illnesses,
 - b. families of those adults and
 - c. parents of children with emotional disturbance.

Federal law also specifies that at least fifty percent of the council membership must be individuals who are neither state employees or providers of mental health services.

The current limit of fifteen members makes it difficult to meet these federal requirements. In order to comply with the federal rules, the Secretary of the Department of Health and Family Services appoints additional members, with limited responsibility. This bill would eliminate that two-tier structure.

Further, the Council believes that appointment of additional mental health consumer and advocate representatives is necessary to reflect the diversity of these groups in our State, including geographic, age and cultural representation.

We ask you to support AB 173 so that the Wisconsin Council on Mental Health can include sufficient members to meet federal requirements and to allow a broader diversity of participation.

Thank you.

Mike Bachhuber

The Wisconsin Council on Mental Health, is the body created under state law to, inter alia:

" (a) Advise the department, the legislature and the governor on the use of state and federal resources and on the provision and administration of programs for persons who are mentally ill or who have other mental health problems, ... and for other mental health related purposes.

** * **

" (d) Serve as an advocate for persons with mental illness."

Sec. 51.02(1), Stats.

The Council is appointed by the Governor to represent the interests of the State, providers and a cross-section of Wisconsin's mental health community.



Tamara GRIGSBY

State Representative
18th Assembly District

Testimony Before the Assembly Committee on Health and Healthcare Reform June 12, 2007 Assembly Bill 173

I want to thank Chairperson Vukmir for scheduling Assembly Bill 173 for a public hearing today.

The Council on Mental Health advises the Department of Health and Family Services, the Governor, and the legislature on mental health programs; provides recommendations on the expenditure of federal mental health block grants; reviews the Department's plans for mental health services; and serves as an advocate for the mentally ill.

Federal law dictates the proportion of members from different groups that must sit on this Council and given the current size of Council, 15 members, Tim and the other members are concerned that any unexpected fluctuations in Council membership could cause the Council to be out of compliance with federal law and thus put a great deal of federal funding at risk. They feel that increasing the membership to a minimum of 21 and a maximum of 25 that would allow them to better meet federal requirements and allows for a broader diversity of members and enough representation of consumers and advocates.

Community Aids Formula Allocation Expenditures for 2007

The Division of Mental Health and Substance Abuse Services (DMHSAS) received \$7,538,575 in CMHBG funding. Counties' allocations for CY 2007 must be spent by December 31, 2007 and the associated expenditure reports are due to the Community Aids Reporting System (CARS) within 90 days of the expenditure deadline.

Supporters of this bill include Wisconsin Council on Mental Health, Division of Disability and Elder Services, NAMI Wisconsin, Mental Health Association of Wisconsin, Grassroots Empowerment, Access to Independence and Wisconsin Family Ties

I thank the committee for your time and consideration of this matter. Now, I'd like to introduce Tim Stellar, Chairman of Mental Health Council who can explain in greater detail how this bill will give the Council the flexibility it needs to meet its requirements under federal law.

STATEMENT by Tim Steller, Chair, Wisconsin Council on Mental Health

COMMITTEE ON HEALTH AND HEALTHCARE REFORM
WISCONSIN ASSEMBLY
PUBLIC HEARING
June 12, 2007

I appear today to speak in support of Assembly Bill 173. In fact this bill has been introduced by request of the Wisconsin Council on Mental Health for which I currently serve as chair. I wish to thank Representative Grigsby and the other sponsors for introducing this legislation.

Simply put, this proposal allows the membership of the Council on Mental Health to increase from its current fifteen (15) members to not less than twenty-one (21) nor more than twenty-five (25) members.

Federal law requires that mental health councils have;

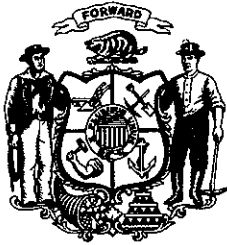
- 1) representatives of principal state agencies with respect to mental health, education, vocational rehabilitation, criminal justice, housing, and social services,
- 2) representatives of public and private mental health service entities, and
- 3) adults with serious mental illnesses and families of those adults or families of children with emotional disturbances.

Further, federal law specifies that at least fifty (50) percent of the council membership must be individuals who are not state employees or providers of mental health services.

The current limit of fifteen members makes it very difficult to meet these federal requirements. Further the Council believes that additional mental health consumer and advocate representation is necessary in order to adequately reflect the diversity of these groups in our State including geographic, age and cultural representation.

We ask you to support AB 173 so that the Wisconsin Council on Mental Health can include sufficient members to meet federal requirements and to allow a broader diversity of participation. Thank you.

Tim Steller
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(715) 848-4402



Tamara GRIGSBY

Wisconsin State Representative
18th Assembly District

**Testimony Before the
Senate Committee on Health, Human Services,
Insurance, and Job Creation
February 20, 2008
Assembly Bill 173**

I want to thank Chairperson Erpenbach for scheduling Assembly Bill 173 for a public hearing today. I'd also like to thank the Chair and committee member Taylor for cosponsoring this bill.

The Council on Mental Health advises the Department of Health and Family Services, the Governor, and the legislature on mental health programs; provides recommendations on the expenditure of federal mental health block grants; reviews the Department's plans for mental health services; and serves as an advocate for the mentally ill.

Federal law dictates the proportion of members from different groups that must sit on this Council and given the current size of Council, 15 members, current members of the Mental Health Council are concerned that any unexpected fluctuations in Council membership could cause the Council to be out of compliance with federal law and thus put a great deal of federal funding at risk.

The Council feels that increasing the membership to a minimum of 21 and a maximum of 25 will allow them to better meet federal requirements and allow for a broader diversity of members and adequate representation of consumers and advocates.

Supporters of this bill include Wisconsin Council on Mental Health, Division of Disability and Elder Services, NAMI Wisconsin, Mental Health Association of Wisconsin, Grassroots Empowerment, Access to Independence and Wisconsin Family Ties

I thank the committee for your time and consideration of this matter. Now, I'd like to introduce Mike Bachhuber, Chairman of Mental Health Council who can explain in greater detail how this bill will give the Council the flexibility it needs to meet its requirements under federal law.

